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UNITED STATES DISTRICT COURT
NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA,) Criminal Case No. 05-00009
Plaintiff,)
v.)
JOSE CRUZ ALDAN,) SECOND NOTICE PURSUANT TO FED. R.
a/k/a, "Joe,") EVID. 404(b)
Defendant.)

PLEASE TAKE NOTICE that the Government intends to offer into evidence at trial evidence concerning defendant Jose Cruz Aldan's other drug transactions with Liu, Ya Jun during January and February, 2004: namely, that the defendant purchased .5 or 1.0 grams of ice from Liu at the Hong's Apartment building on five or six occasions. The government plans to offer this evidence as intrinsic evidence related to Count Two. See, e.g., United States v. Beckman 298 F.3d 788, 793 (9th Cir. 2002); United States v. DeGeorge, 380 F.3d 1203, 1220 (9th Cir. 2004).

As an alternate basis, the government will offer this evidence pursuant to Federal Rule of Evidence 404(b). Such evidence will be offered to prove motive, opportunity, intent,

1 preparation, plan, knowledge, identity, and absence of mistake or accident with respect to Counts
2 One and Two of the Indictment.

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5 LEONARDO M. RAPADAS
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7 District of the Northern Mariana Islands
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9 DATED: August 11, 2006

10 By: TIMOTHY E. MORAN
11 Assistant U.S. Attorney
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